

6524/USSN 10/533,233
Group Art Unit 3723

REMARKS

Applicants have considered the outstanding official action. It is respectfully submitted that the claims are in condition for allowance.

Claims 21-27 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim in that in claim 21, lines 10-11, "made" suggests making the unit. Applicants have amended claim 21 as to the objected to language to overcome the objection. Withdrawal of the objection is respectfully requested.

Claims 4-20 and 25 are objected to as being dependent upon a rejected base claim, but are stated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 4, 6 and 8 have been rewrittten in independent form. Remaining allowable claims 5, 7, 9-20 and 25 are dependent directly or indirectly thereon. Accordingly, claims 4-20 and 25 no longer depend from a rejected base claim and are in condition for formal allowance. Withdrawal of the objection and formal allowance is respectfully requested.

6524/USSN 10/533,233
Group Art Unit 3723

The outstanding rejections based on art are as follows:

- (1) Claims 1-2, 6, 8-9, 21, 23, and 24 under 35 U.S.C. §102(b) as anticipated by European Patent Application No. 0 585 927 (EP '927);
- (2) Claims 3 and 22 under 35 U.S.C. §103(a) as unpatentable over EPA '927 in view of European Patent Application No. 0 528 122 (EP '122); and
- (3) Claims 26 and 27 under §103(a) as unpatentable over EP '927 in view of EP '122 as applied to claim 1 above, and further in view of U.S. Patent No. 5,038,647 (Biagiotti).

Initially it is noted as to rejection (1) above, that claims 6, 8 and 9 have also been indicated to be objected to as dependent on a rejected base claim but otherwise to be allowable. Since no application of art or argument as to claims 6, 8 and 9 was set forth in the office action as to the rejection, applicants have treated claims 6, 8 and 9 as objected to but allowable. If this is not correct, clarification is requested.

As to the outstanding rejections based on art, it is noted that EP '927 is the primary applied reference in each rejection. It is also noted that claims 3, 22, 26 and 27

6524/USSN 10/533,233
Group Art Unit 3723

are dependent claims and that the secondary references of EP '122 and Biagiotti as applied thereto, are relied on for teaching additional limitations in the dependent claims.

Further, in setting forth the grounds of rejection, the Examiner has noted that the language in claim 1, lines 5-10, of "wherein said grinding wheel unit ... on which said grinding wheels act" has not been given any weight since such are considered functional limitations in narrative form without reference to structure. Applicants have amended claim 1 to clarify the invention by providing clear reference to structure. Applicants submit that the claimed invention is distinct from that disclosed in EP '927. EP '927 does not teach a sharpening unit having a grinding wheel unit supported by a supporting structure adapted and arranged so that the grinding wheel unit operatively moves freely on the supporting structure by at least a first degree of freedom to center the grinding wheels in respect to a lying surface of a portion of a cutting bevel of the blade on which the grinding wheels act. Accordingly, EP '927 does not teach each and every element of the invention as claimed and, thus, does not anticipate the claims within the meaning of 35 U.S.C. §102. Withdrawal of the §102 rejection is respectfully requested.

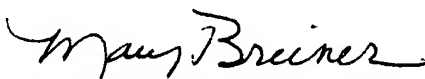
6524/USSN 10/533,233
Group Art Unit 3723

Applicants further submit that the secondary references do not provide for the shortcomings of EP '927. No teaching or suggestion is provided by EP '927, EP '122 or Biagiotti as to modifying the apparatus disclosed in EP '927 to obtain applicants' sharpening unit including a grinding wheel unit supported by a support structure adapted and arranged so that the grinding wheel unit has free movement as claimed. Thus, the claims are not rendered obvious within the meaning of 35 U.S.C. §103. Withdrawal of the §103 rejection is respectfully requested.

Reconsideration and allowance of the application is requested.

Respectfully submitted,

MARIO GIONI CHIOCCHETTI ET AL

By 

Mary J. Breiner, Attorney
Registration No. 33,161
BREINER & BREINER, L.L.C.
P.O. Box 19290
Alexandria, Virginia 22320-0290

Telephone: (703) 684-6885